

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ANDREW CEJAS.

Plaintiff,

V.

DANIEL PARAMO, et al.,

Defendants.

Case No.: 14-CV-1923-WQH-WVG

ORDER DENYING PLAINTIFF'S MOTION TO COMPEL

[ECF NO. 76]

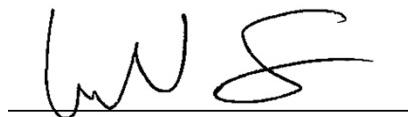
Pending before the Court is Plaintiff's motion to compel responses to his interrogatories, requests for admission, and requests to produce documents. (ECF No. 76.) Plaintiff argues that his various request for discovery were served on February 22, 2018 and that as of August 1, 2018 no responses were received. (*Id.* at 2.) As defendants S. Rutledge, D. Strayhorn, and D. Jaime note in their opposition, fact discovery closed on March 8, 2018. (ECF No. 1 at 1.) Given this, Defendants did not have sufficient time to respond prior to the discovery cutoff date. (*Id.*)

The Court finds the present motion to be untimely. Discovery ended over five months before Plaintiff brought the present issue to the Court’s attention. The Court made clear in its scheduling order that “[a]ll disputes concerning discovery shall be brought to the attention of the Magistrate Judge no later than thirty (30) days following” the events giving rise to the dispute. Assuming Plaintiff waited thirty days for Defendants to respond,

1 Plaintiff had until late April, 2018 to bring the present issue to the Court's attention.
2 Instead, Plaintiff waited until August 3, 2018, to raise the issue in the form of the present
3 motion without explanation for the delay. Given this, the Court **DENIES** Plaintiff's motion
4 to compel as untimely.

5 **IT IS SO ORDERED.**

6 Dated: January 9, 2019



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8 Hon. William V. Gallo
9 United States Magistrate Judge
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